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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/785,340

Applicant(s)

BOCKING, ANDREW D.

Examiner

JOHN HEFFINGTON

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1,4-6,9,11,13-17 and 19-28 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1,4-6,9,11,13-17 and 19-28 is/are rejected.
- 8) ☐ Claim(s) 20 is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date 11/9/11
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

This action is in response to the amendment filed 31 October 2011. Claims 1, 4, 9, 11, 13, 14, 16, 17, 19, 20, 21 have been amended. Claims 2, 3, 7, 8, 10, 12 and 18 are canceled. Claims 22-28 are new. Claims 1, 4-6, 9, 11, 13-17 and 19-28 are pending and have been considered below.

Response to Arguments

1. Applicant's arguments filed 31 October 2011 have been fully considered but they are not persuasive.

The applicant argues "Therefore, Takatsuka cannot disclose 'redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while at least one electronic message is still in an unopened state[,] and providing a second indicator at the location on the home screen, reflecting that a number of new unopened electronic messages have been received, the second indicator distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state represented by the first indicator and providing a second indicator at the location on the home screen, reflecting the number of new unread electronic messages received following display of the message listing' as recited in amended claim 19." The examiner respectfully disagrees. 35 U.S.C. 103 Conditions for patentability; non-obvious subject matter, (a), states:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Takatsuka discloses a "home screen" (figs. 5A, 5B and 5C) that displays that shows message directors indicating the total number of messages per directory and an indication of the presence of non-read messages or a numeric value indicating the number of non-read messages. Takatsuka does not explicitly disclose that the indicator for the presence of non-read messages and a numeric value indicating the number of non-read messages are displayed simultaneously. A user can then select a directory for which to view the corresponding messages. When the directory is displayed, a portion of each message is displayed and an indicator of whether a message is non-read. When the user selects a message to read, i.e. opening the message, the non-read indicator is removed. When the user returns to the "home screen" (figs. 5A, 5B and 5C), the numeric value indicating the number of non-read messages is decremented by the number of messages that have been read, however, if non-read messages remain, then the non-read message indicator is still displayed. Therefore, Takatsuka does disclose "redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while at least one electronic message is still in an unopened state." Katagiri discloses receiving a number of new

non-read messages and displaying an indicator for the presence of non-read messages received and a numeric value indicating a number of new non-read messages received. Like Takatsuka, Katagiri displays a summary of each new non-read message. When, in Katagiri, one of the new non-read message is opened and read, then the indicator for new non-read messages is removed and the numeric value indicating the number of new non-read messages is decremented by one. Not all of the non-read messages need be read for the new non-read message indicator to be removed. Then, when new non-read messages are received, the indicator for new non-read messages is redisplayed, the numeric value indicating the number of remaining non-read messages is removed and a numeric value indicating the number of new non-read messages is displayed. It is important to point out that any message in Takatsuka and Katagiri has to be opened in order to be read; therefore any non-read message in Takatsuka and Katagiri is also non-opened. When combined, Takatsuka and Katagiri discloses the limitations cited above for Takatsuka above and displaying a second indicator for newly received non-read messages with a second numeric value indicating the number of newly received non-read messages. This combination meets the above disclosed limitations.

The applicant argues "However, Katagiri also has no way of distinguishing 'old' unread messages from 'new' unread messages, as any new unread messages will not receive a distinguishing indicator from the star indicator already representing the 'old' unread messages, unless the user reads one of the 'old' unread messages." The argued

limitation above in no way requires that NONE of the non-opened messages be un-opened. In Katagiri, some non-read, i.e. non-opened, messages may still remain non-read and non-opened while the indicator for new non-read and non-opened messages is removed.

The applicant argues:

"Furthermore, the Office's proposed combination of Takatsuka and Katagiri is improper. The Office Action alleges that one of ordinary skill in the art: would have been motivated to add providing a second indicator at the location on the home screen, reflecting the number of new unread electronic messages received following display of the message listing ... because this adds further detail for the user to more completely understand the state of new unread messages ... [t]his may be useful because the user may have scanned the current unread messages for a particular message of interest and found that that message was not present and notifying the user of newer unread messages since the last can alert[] the user that the message of interest may be in the next set of unread messages." Office Action at 51.

However, such an allegation is a clear example of impermissible hindsight, as the alleged motivation of a user potentially "scanning" the current unread messages for particular messages and desiring an indication of newly received unread messages is not provided by any of the references, but rather is gleaned directly from Applicant's Specification, ... The alleged motivation even uses the same terminology

found in Applicant's specification of a user having "scanned" the messages. Neither Takatsuka nor Katagiri provide any sort of suggestion that a user may be interested in "scanning" a message list, and one would not modify Takatsuka and Katagiri without resorting to using Applicant's specification as a blueprint for the rejection. Furthermore, Katagiri explicitly indicates that certain unread messages are considered obsolete and unnecessary for the user to read, as indicated in column 6, lines 16-19 of Katagiri. Therefore, a user would not be interested in obtaining more information for understanding the state of these unread messages, as proposed by the Office. "

The examiner respectfully disagrees. In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971). Takatsuka discloses, "wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased." (Claim 4), "[I(26)

If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202." (column 6, lines 11-13], figure 4). Clearly, a user in Takatsuka may open and read some messages and not open and read other message, and these messages that are non-opened and non-read can be seen in the directory view, wherein a portion of each message is viewed. Opening and reading a message is a different operation from seeing the messages in the directory view. While the specification of Takatsuka does not use the terms "scan" or "scanning," the user's act of viewing the messages in the directory view while deciding which message to open and read definitely falls within the definition of the terms "scan" or "scanning." In addition, the terms "scan" and "scanning" are not uniquely defined terms specifically for the applicants invention and were most certainly well-known and well understood at the time of Takatsuka. Furthermore, since Takatsuka continues to display both an indication for the presence of and a numeric indication for the number of non-opened, non-read messages, even after some of the non-opened, non-read messages are opened and read, i.e. these remaining non-opened, non-read messages are "old" and "obsolete," then there is no need to rely on Katagiri for indications of remaining non-opened, non-read messages. Since Takatsuka continues to display presence and numeric indications for these non-opened, non-read messages after returning to the "home screen" (figs. 5A, 5B, 5C) from the directory view, then Takatsuka clearly provides a suggestion that the user would have an interest in these non-opened, non-read messages.

Furthermore, the examiner reminds the applicant that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). As disclosed above, Takatsuka discloses that some non-opened, non-read messages are not opened and read and their non-read flags are not erased. These messages are still indicated as non-opened and non-read when a user returns to the "home screen" (figs. 5A, 5B and 5C). This is clearly sufficient motivation to add 'redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while at least one electronic message is still in an unopened state[,] ... the at least one electronic message in the unopened state represented by the first indicator ...'

The applicant argues that Takatsuka, Katagiri and Canfield, taken individually or in combination, fail to teach or suggest "triggering the recently checked Boolean value to true when the message listing is displayed on the visual display and while the first electronic message is in the unopened state[,] wherein, following display of the message listing on the visual display, the recently checked Boolean value is triggered to false when a new unopened electronic message is received and the home screen is

displayed on the visual display," as claimed in new claim 27. The examiner respectfully disagrees. Katagiri discloses "(13) Then, the screen display in FIG. 2D shows the state wherein the mark ".star. " displayed on the third line to indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the received messages received after the already-read instruction operation has been issued on the fourth line of the screen." "(15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen," (column 6, lines 19-38,

figures 2C-2E). That is, the display is in a first state to indicate that the received message has not yet been read and the "star" has not been cleared and a second state after the message has been read and the "star" has been cleared. The display returns to the first state when new messages have been received after at least one of the previous messages have been read and the "star" is cleared. These states are clearly Boolean in nature. When combined with Takatsuka, this clearly suggests that second state disclosed in Katagiri is set when the directory view in Takatsuka is displayed. The first state is then set again when the "home screen" in Takatsuka is being displayed and new non-opened, non-read messages have been received. The motivation for this combination is provided above.

Claim Objections

2. Claim 20 is objected to because of the following informalities: Claim 20 cites "unread" instead of "unopened." Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 4-6, 9, 11, 13-17, 19-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takatsuka et al. (US 5,936,548) in view of Katagiri (US 6,778,069 B1) and further in view of Canfield et al. (US 7,281,215 B1).

Claim 1. Takatsuka discloses a method of managing unopened electronic messages comprising the steps of:

- a. displaying a home screen on a visual display (column 5, lines 14-20 [(19) directory. In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c, column 5, lines 57-60 [(24) Responsive to the first one of the command signals, the control section 20 controls the LCD driver 51 to display the selected message on the display unit 52 (a step 209)], Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.]);

- b. providing, at a location on the home screen, a first indicator of the presence of a number of unopened electronic messages received, or an associated value reflecting the number of opened electronic messages received (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c, Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4);
- c. selectively displaying on the visual display a message listing to view portions of electronic messages, the electronic messages including at least one electronic message in an unopened state (column 5, lines 42-48 [(22) FIG. 6 shows an example of the list display carried out at the step 206. In this example, the display unit 52 displays, per message, a

portion of the message, receiving date and time, whether or not the message is non-read, and a message sender. Other than the display example shown in FIG. 6, the display can be carried out by combining desired attributes.] figure 6).

- d. redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while the at least one electronic message is in the unopened state (Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4).

Takatsuka does not disclose the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(11)Also, a mark ".star." indicating that the received message has not been read yet is displayed on the third line of the screen of the display unit 4. Further, a numeral "1" which is

the piece number of the unopened received messages counted by the adder unit 5 is displayed on the fourth line of the screen.” (column 5, lines 46-51, figure 2A). Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka. One would have been motivated to add the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka because it would lessen any possible confusion for the user if he/she had to first read a heading to see which column indicated unopened messages and then scan down to the row for the directory containing the unopened messages by providing the user with a more complete summary of the number of unopened messages so that the user could see at a glance that there are unopened messages and the number of unopened messages simultaneously on the same line as the directory of messages.

Takatsuka and Katagiri do not disclose altering said the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic

message in the unopened state, as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself." (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering said the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri. One would have been motivated to add altering said the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri because the Supreme Court in KSR International Co. v. Teleflex Inc. identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is

consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham.

Claims 2-3. (Cancelled)

Claim 4. Takatsuka discloses a method of managing unopened electronic messages comprising the steps of:

- a. displaying a home screen on a visual display (column 5, lines 14-20 [(19) directory. In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c);
- b. providing, at a location on the home screen, a first indicator of the presence of a number of unopened electronic messages received, or an associated value reflecting the number of unopened electronic messages received (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read

messages per directory.], figures 5b and 5c, Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4);

- c. selectively displaying on the visual display a message listing to view portions of electronic messages, the electronic messages including at least one electronic message in an unopened state (column 5, lines 42-48 [(22) FIG. 6 shows an example of the list display carried out at the step 206. In this example, the display unit 52 displays, per message, a portion of the message, receiving date and time, whether or not the message is non-read, and a message sender. Other than the display example shown in FIG. 6, the display can be carried out by combining desired attributes.] figure 6).
- d. redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while the at least one electronic message is in the unopened state (Claim 4 [wherein, according to a command from said operating section, said control section

controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4).

Takatsuka does not disclose the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(11)Also, a mark ".star." indicating that the received message has not been read yet is displayed on the third line of the screen of the display unit 4. Further, a numeral "1" which is the piece number of the unopened received messages counted by the adder unit 5 is displayed on the fourth line of the screen. " (column 5, lines 46-51, figure 2A). Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka. One would have been motivated to add the first indicator

of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka because it would lessen any possible confusion for the user if he/she had to first read a heading to see which column indicated unopened messages and then scan down to the row for the directory containing the unopened messages by providing the user with a more complete summary of the number of unopened messages so that the user could see at a glance that there are unopened messages and the number of unopened messages simultaneously on the same line as the directory of messages.

Takatsuka and Katagiri do not disclose generating a second indicator at, or proximate to, the location on the home screen, to provide a visually distinguishable non-numerical annunciation by altering the first indicator with the non-numerical annunciation to reflect that a new electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new electronic message from the at least one electronic message in the unopened state., as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to

actually reply to the message itself. " (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add generating a second indicator at, or proximate to, the location on the home screen, to provide a visually distinguishable non-numerical annunciation by altering the first indicator with the non-numerical annunciation to reflect that a new electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri. One would have been motivated to add generating a second indicator at, or proximate to, the location on the home screen, to provide a visually distinguishable non-numerical annunciation by altering the first indicator with the non-numerical annunciation to reflect that a new electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri because the Supreme Court in *KSR International Co. v. Teleflex Inc.* identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham*.

Claim 5. Takatsuka, Katagiri and Canfield disclose the method of Claim 4, and Canfield further discloses "For example, an indicator such as a blinking

interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add displaying an icon with the first and second indicators; and altering the icon by flashing, bolding, changing the size, and changing the color of the icon to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add displaying an icon with the first and second indicators; and altering the icon by flashing, bolding, changing the size, and changing the color of the icon to the teachings of Takatsuka, Katagiri and Canfield because the Supreme Court in KSR International Co. v. Teleflex Inc. identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham.

Claim 6. Takatsuka, Katagiri and Canfield disclose the method of Claim 4, and Takatsuka discloses "(10)...non-read messages (whose receipts are not confirmed by the user or whose contents are not confirmed by the user)... " (column 4, lines 11-13), that is, non-read messages can be those messages whose receipts have been confirmed but not necessarily whose contents have been confirmed, i.e. the contents of the message doesn't have to be read and Katagiri discloses "(13) Then, the screen display in FIG. 2D shows the state

wherein the mark ".star." displayed on the third line to indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the received messages received after the already-read instruction operation has been issued on the fourth line of the screen." (15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen, " (column 6, lines 19-38, figures 2C-2E). In figure 2C; Ten new messages have been received and a star is displayed to indicate 10 new unopened messages; the user reads the latest message

but does not read the other 9 messages, therefore the other 9 are unopened; the star is then removed and the number indicating the number of unopened messages is decremented by 1; from this state, with 9 unopened messages and the star indicating the presence of unopened messages removed, when 2 new unopened messages are subsequently received, the count of unopened messages now indicates the 2 new unopened messages and the star is re-displayed to indicate the arrival of the 2 new unopened messages; that is, re-displaying the new count of new unopened messages and re-displaying the star to indicate new unopened messages when in the previous state there were still unopened messages approximates the claimed limitation of an indication of new unopened messages when all of the previous unopened messages were read in the last viewing. Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add adding indicia to said the first indicator to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add adding indicia to said the first indicator to the teachings of Takatsuka, Katagiri and Canfield because this adds further detail for the user to more completely understand the state of new unopened messages; i.e. it would be useful for the user to not only see the total number of unopened messages, but to also see the number of newly arrived unopened messages. This may be useful because the user may have scanned the current unopened messages for a particular message of interest and found that that message was not present and notifying the user of newer unopened messages since the last can alerts the user that the message of interest may be in the next set of

unopened messages. Further, the user may not remember the number of unopened messages and can readily see that new unopened messages have arrived.

Claim 7-8. (Cancelled)

Claim 9. Takatsuka, Katagiri and Canfield disclose the method of Claim 4, and Takatsuka further discloses the step of altering the first indicator comprises altering at least one of an unopened mail icon and a count of unopened electronic messages (column 5, lines 62-64 [Simultaneously, the control section 20 erases the non-read flag of the readout message.]).

Claim 10. (Cancelled)

Claim 11. Takatsuka discloses a system for managing electronic messages received, comprising:

- a. a visual display (figures 5-6);
- b. a home screen displaying one or more icons corresponding to functions that can be performed by the system (column 5, lines 19-24 [In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory. In FIGS. 5A to 5C, a portion corresponding to the directory C is surrounded by a rectangular frame. This

represents that the directory C is being selected now. In practice, this portion is indicated by inversion display.], Microsoft Press Computer Dictionary Third Edition, Microsoft Press, 1997, ISBN 1-57321-446-X defines an icon as "A small image displayed on the screen to represent an object that can be manipulated by the user." The rectangle surrounding directory C indicating that directory C can be selected qualifies as an icon under this definition.);

- c. a message list listing providing portions of received electronic messages including at least one electronic message in an unopened state (column 5, lines 42-48 [(22) FIG. 6 shows an example of the list display carried out at the step 206. In this example, the display unit 52 displays, per message, a portion of the message, receiving date and time, whether or not the message is non-read, and a message sender. Other than the display example shown in FIG. 6, the display can be carried out by combining desired attributes.] figure 6);
- d. input means for selectively displaying the message list listing on the visual display, and redisplaying the home screen on the visual display while the at least one electronic message in the unopened state (Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which

are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4));

- e. a first indicator at a location on the home screen for indicating the presence of a number of electronic messages in an unopened state from among the received electronic messages or an associated value reflecting the number of electronic messages in an unopened state (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c, Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4).

Takatsuka does not disclose the first indicator at a location on the home screen for indicating the presence of a number of electronic messages in an unopened state, **and** the associated value reflecting the number of electronic messages in an unopened state, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(11)Also, a mark ".star." indicating that the received message has not been read yet is displayed on the third line of the screen of the display unit 4. Further, a numeral "1" which is the piece number of the unopened received messages counted by the adder unit 5 is displayed on the fourth line of the screen. " (column 5, lines 46-51, figure 2A). Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first indicator at a location on the home screen for indicating the presence of a number of unopened messages, **and** the associated value reflecting the number of unopened electronic messages received to the teachings of Takatsuka. One would have been motivated to add the first indicator at a location on the home screen for indicating the presence of a number of unopened messages, **and** the associated value reflecting the number of unopened electronic messages received to the teachings of Takatsuka because it would lessen any possible confusion for the user if he/she had to first read a heading to see which column indicated unopened messages and then scan down to the row for the directory containing the unopened messages by providing the user with a more complete summary of the number of

unopened messages so that the user could see at a glance that there are unopened messages and the number of unopened messages simultaneously on the same line as the directory of messages.

Takatsuka and Katagiri do not disclose a second indicator at, or proximate, to the location on the home screen that alters the first indicator to provide a visually distinguishable non-numerical annunciation reflecting that new unopened electronic messages have been received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state, as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a second indicator at, or proximate, to the location on the home screen that alters the first indicator to provide a visually distinguishable non-numerical annunciation reflecting that

new unopened electronic messages have been received , the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri. One would have been motivated to add a second indicator at, or proximate, to the location on the home screen that alters the first indicator to provide a visually distinguishable non-numerical annunciation reflecting that new unopened electronic messages have been received , the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri because the Supreme Court in KSR International Co. v. Teleflex Inc. identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham.

Claim 12. (Cancelled)

Claim 13. Takatsuka, Katagiri and Canfield disclose the system of Claim 11, and Takatsuka further discloses the visually distinguishable annunciation received comprises an alteration to the count of unopened electronic messages received (column 5, lines 16-19,[In the example shown in FIG. 5C, the display unit 52

displays the total message number and the number of the non-read messages per directory.], column 5, lines 62-64 [Simultaneously, the control section 20 erases the non-read flag of the readout message.], In figure 5C, the number of non-read messages per directory is displayed and, when viewing the directory, a non-read flag is erased; therefore, when the window of figure 5C is displayed after a non-read message is read, the number of non-read messages in figure 5C will reflect the new count of non-read messages).

Claim 14 Takatsuka, Katagiri and Canfield disclose the system of Claim 13 and Canfield further discloses "For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the alteration to the count comprises at least one of: bolding the count, flashing the count, changing the size of the count, and changing the color of the count to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the alteration to the count comprises at least one of: bolding the count, flashing the count, changing the size of the count, and changing the color of the count to the teachings of Takatsuka, Katagiri and Canfield because the Supreme Court in KSR International Co. v. Teleflex Inc. identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of

obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham.

Claim 15. Takatsuka, Katagiri and Canfield disclose the system of claim 11, and Takatsuka discloses "(10) ... non-read messages (whose receipts are not confirmed by the user or whose contents are not confirmed by the user)... " (column 4, lines 11-13), that is, non-read messages can be those messages whose receipts have been confirmed but not necessarily whose contents have been confirmed, i.e. the contents of the message doesn't have to be read and Katagiri discloses "(13) Then, the screen display in FIG. 2D shows the state wherein the mark ".star. " displayed on the third line to indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the

received messages received after the already-read instruction operation has been issued on the fourth line of the screen.”“(15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen, " (column 6, lines 19-38, figures 2C-2E). In figure 2C; Ten new messages have been received and a star is displayed to indicate 10 new unopened messages; the user reads the latest message but does not read the other 9 messages, therefore the other 9 are unopened; the star is then removed and the number indicating the number of unopened messages is decremented by 1; from this state, with 9 unopened messages and the star indicating the presence of unopened messages removed, when 2 new unopened messages are subsequently received, the count of unopened messages now indicates the 2 new unopened messages and the star is re-displayed to indicate the arrival of the 2 new unopened messages; that is, re-displaying the new count of new unopened messages and re-displaying the star to indicate new unopened messages when in the previous state there were still unopened messages approximates the claimed limitation of an indication of new unopened messages when all of the previous unopened messages were read in the last viewing. Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art

at the time of the invention to add the second indicator comprises additional indicia on the display to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the second indicator comprises additional indicia on the display to the teachings of Takatsuka, Katagiri and Canfield because this adds further detail for the user to more completely understand the state of new unopened messages; i.e. it would be useful for the user to not only see the total number of unopened messages, but to also see the number of newly arrived unopened messages. This may be useful because the user may have scanned the current unopened messages for a particular message of interest and found that that message was not present and notifying the user of newer unopened messages since the last can alerts the user that the message of interest may be in the next set of unopened messages. Further, the user may not remember the number of unopened messages and can readily see that new unopened messages have arrived.

Claim 16. Takatsuka, Katagiri and Canfield disclose the system of Claim 11, and Takatsuka discloses "(10) ...non-read messages (whose receipts are not confirmed by the user or whose contents are not confirmed by the user)..." (column 4, lines 11-13), that is, non-read messages can be those messages whose receipts have been confirmed but not necessarily whose contents have been confirmed, i.e. the contents of the message doesn't have to be read and Katagiri discloses "(13) Then, the screen display in FIG. 2D shows the state wherein the mark ".star. " displayed on the third line to

indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the received messages received after the already-read instruction operation has been issued on the fourth line of the screen." "(15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen, " (column 6, lines 19-38, figures 2C-2E). In figure 2C; Ten new messages have been received and a star is displayed to indicate 10 new unopened messages; the user reads the latest message but does not read the other 9 messages, therefore the other 9 are unopened; the star is

then removed and the number indicating the number of unopened messages is decremented by 1; from this state, with 9 unopened messages and the star indicating the presence of unopened messages removed, when 2 new unopened messages are subsequently received, the count of unopened messages now indicates the 2 new unopened messages and the star is re-displayed to indicate the arrival of the 2 new unopened messages; that is, re-displaying the new count of new unopened messages and re-displaying the star to indicate new unopened messages when in the previous state there were still unopened messages approximates the claimed limitation of an indication of new unopened messages when all of the previous unopened messages were read in the last viewing. Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the second indicator comprises a message icon on the display adjacent the count of unopened electronic messages received, and the annunciation of the presence of a new unopened electronic message received since the message list was last displayed comprises altering the message icon to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the second indicator comprises a message icon on the display adjacent the count of unopened electronic messages received, and the annunciation of the presence of a new unopened electronic message received since the message list was last displayed comprises altering the message icon to the teachings of Takatsuka, Katagiri and Canfield because this adds further detail for the user to more completely understand the state of new unopened messages; i.e. it would be useful for the user to not only see the total number

of unopened messages, but to also see the number of newly arrived unopened messages. This may be useful because the user may have scanned the current unopened messages for a particular message of interest and found that that message was not present and notifying the user of newer unopened messages since the last can alerts the user that the message of interest may be in the next set of unopened messages. Further, the user may not remember the number of unopened messages and can readily see that new unopened messages have arrived.

Claim 17. Takatsuka, Katagiri and Canfield disclose the system of Claim 16, and Canfield further discloses "For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the altering the message icon comprises at least one of: bolding the icon, flashing the icon, changing the size of the icon, and changing the color of the icon to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the altering the message icon comprises at least one of: bolding the icon, flashing the icon, changing the size of the icon, and changing the color of the icon to the teachings of Takatsuka, Katagiri and Canfield because the Supreme Court in *KSR International Co. v. Teleflex Inc.* identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a

conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in Graham.

18. (Cancelled)

Claim 19. Takatsuka discloses a method of managing unopened electronic messages comprising the steps of:

- a. displaying a home screen on a visual display (column 5, lines 14-20 [(19) directory. In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c);
- b. providing, at a location on the home screen, a first indicator of the presence of a number of unopened electronic messages, or a first associated value reflecting the number of unopened electronic messages (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message

number and the number of the non-read messages per directory.], figures 5b and 5c, Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4);

- c. selectively displaying on the visual display a message listing to view of portions of unopened electronic messages (column 5, lines 42-48 [(22) FIG. 6 shows an example of the list display carried out at the step 206. In this example, the display unit 52 displays, per message, a portion of the message, receiving date and time, whether or not the message is non-read, and a message sender. Other than the display example shown in FIG. 6, the display can be carried out by combining desired attributes.] figure 6);
- d. redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while the at least one electronic message is in the unopened state (Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a

remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4).

Takatsuka does not disclose the first indicator of the presence of a number of unopened electronic messages received **and** the first associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(11)Also, a mark ".star." indicating that the received message has not been read yet is displayed on the third line of the screen of the display unit 4. Further, a numeral "1" which is the piece number of the unopened received messages counted by the adder unit 5 is displayed on the fourth line of the screen. " (column 5, lines 46-51, figure 2A). Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first indicator of the presence of a number of unopened electronic messages received **and** the first associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka. One would have been motivated to add the first indicator of the presence of a number of unopened electronic messages received **and** the first

associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka because it would lessen any possible confusion for the user if he/she had to first read a heading to see which column indicated unopened messages and then scan down to the row for the directory containing the unopened messages by providing the user with a more complete summary of the number of unopened messages so that the user could see at a glance that there are unopened messages and the number of unopened messages simultaneously on the same line as the directory of messages.

Takatsuka and Katagiri do not disclose providing a second indicator at the location on the home screen, reflecting that a number of new unopened electronic messages have been received, the second indicator distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state represented by the first indicator, as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary

skill in the art at the time of the invention to add providing a second indicator at the location on the home screen, reflecting that a number of new unopened electronic messages have been received, the second indicator distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state represented by the first indicator to the teachings of Takatsuka and Katagiri. One would have been motivated to add providing a second indicator at the location on the home screen, reflecting that a number of new unopened electronic messages have been received, the second indicator distinguishing the new unopened electronic messages from the at least one electronic message in the unopened state represented by the first indicator to the teachings of Takatsuka and Katagiri because the Supreme Court in *KSR International Co. v. Teleflex Inc.* identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham*.

Claim 20. Takatsuka discloses a method of managing unopened electronic messages comprising the steps of:

- a. displaying a home screen on a visual display (column 5, lines 14-20 [(19) directory. In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the

total message number and the number of the non-read
messages per directory.], figures 5b and 5c);

- b. providing, at a location on the home screen, a first indicator of the presence of a number of unopened electronic messages received, or an associated value reflecting the number of unopened electronic messages received (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c);
- c. selectively displaying on the visual display a message listing to view portions of the unread electronic messages received (column 5, lines 42-48 [(22) FIG. 6 shows an example of the list display carried out at the step 206. In this example, the display unit 52 displays, per message, a portion of the message, receiving date and time, whether or not the message is non-read, and a message sender. Other than the display example shown in FIG. 6, the display can be carried out by combining desired attributes.] figure 6);
- d. redisplaying the home screen with the first indicator on the visual display, following display of the message listing, and while the at least one electronic

message is in the unopened state (Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4).

Takatsuka does not disclose the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(11)Also, a mark ".star." indicating that the received message has not been read yet is displayed on the third line of the screen of the display unit 4. Further, a numeral "1" which is the piece number of the unopened received messages counted by the adder unit 5 is displayed on the fourth line of the screen. " (column 5, lines 46-51, figure 2A). Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of

unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka. One would have been motivated to add the first indicator of the presence of a number of unopened electronic messages received **and** the associated value reflecting the number of unopened electronic messages received are provided at a location on the home screen to the teachings of Takatsuka because it would lessen any possible confusion for the user if he/she had to first read a heading to see which column indicated unopened messages and then scan down to the row for the directory containing the unopened messages by providing the user with a more complete summary of the number of unopened messages so that the user could see at a glance that there are unopened messages and the number of unopened messages simultaneously on the same line as the directory of messages.

Takatsuka and Katagiri do not disclose altering the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic message in the unopened state, as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed,

the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add altering the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri. One would have been motivated to add altering the first indicator to provide a visually distinguishable non-numerical annunciation that a new unopened electronic message is received, the visually distinguishable non-numerical annunciation distinguishing the new unopened electronic message from the at least one electronic message in the unopened state to the teachings of Takatsuka and Katagiri because the Supreme Court in *KSR International Co. v. Teleflex Inc.* identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the determination of obviousness as laid down in *Graham*.

Takatsuka does not disclose updating the associated value to provide a single value simultaneously reflecting the new unopened electronic message and the at least one electronic message in the unopened state, as disclosed in the claims. However Katagiri discloses " (15) The screen display in FIG. 2E shows the state wherein

two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unread received messages displayed on the fourth line are displayed on the screen, and that "Vacant Seat Situation at a time 10:30" which is the latest received message out of two received messages is displayed on the screen. " (column 6, lines 32-40). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add updating the associated value to provide a single value simultaneously reflecting the new unopened electronic message and the at least one electronic message in the unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add updating the associated value to provide a single value simultaneously reflecting the new unopened electronic message and the at least one electronic message in the unopened state to the teachings of Takatsuka, Katagiri and Canfield in order to give the user more information about new received messages so as to allow the user to make a better informed decision about opening and reading the messages.

Claim 21. Takatsuka, Katagiri and Canfield disclose the method of Claim 1, and Katagiri further discloses "(13) Then, the screen display in FIG. 2D shows the state wherein the mark ".star. " displayed on the third line

to indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the received messages received after the already-read instruction operation has been issued on the fourth line of the screen." "(15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen, " (column 6, lines 19-38, figures 2C-2E). In figure 2C; Ten new messages have been received and a star is displayed to indicate 10 new unopened messages; the user reads the latest message but does not read the other 9 messages, therefore the other 9 are unopened; the star is

then removed and the number indicating the number of unopened messages is decremented by 1; from this state, with 9 unopened messages and the star indicating the presence of unopened messages removed, when 2 new unopened messages are subsequently received, the count of unopened messages now indicates the 2 new unopened messages and the star is re-displayed to indicate the arrival of the 2 new unopened messages; that is, re-displaying the new count of new unopened messages and re-displaying the star to indicate new unopened messages when in the previous state there were still unopened messages approximates the claimed limitation of an indication of new unopened messages when all of the previous unopened messages were read in the last viewing by having the visually distinguishable non-numeric annunciation be either displayed or not displayed depending on the presence of newly received unopened messages. Therefore, considering the teaching of Takatsuka, Katagiri and Canfield, it would have been obvious to add the steps of: determining a Boolean value associated with the visually distinguishable non-numerical annunciation; and triggering the Boolean value, upon receipt of the new unopened electronic message following redisplaying of the home screen, to control displaying of the visually distinguishable non-numerical annunciation to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the steps of: determining a Boolean value associated with the visually distinguishable non-numerical annunciation; and triggering the Boolean value, upon receipt of the new unopened electronic message following redisplaying of the home screen, to control displaying of the visually distinguishable non-numerical annunciation to the teachings of Takatsuka, Katagiri and

Canfield so that the user can know definitely whether new unopened messages have arrived and not have to try to interpret multiple meanings of variations of an icon to indicate a simple true/false concept.

Claim 22. Takatsuka, Katagiri and Canfield disclose the method of Claim 1, and Canfield further discloses “(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. ” (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add maintaining the alteration of the first indicator until selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add maintaining the alteration of the first indicator until selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the

specific message has not been received, the user could look for a new indicator to indicate that new messages have been received, possibly including the message of interest.

Claim 23. Takatsuka, Katagiri and Canfield disclose the method of Claim 4, and Canfield further discloses “(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. ” (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add removing the second indicator upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add removing the second indicator upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the specific message has not

been received, the user could look for a new indicator to indicate that new messages have been received, possibly including the message of interest.

Claim 24. Takatsuka, Katagiri and Canfield disclose the system of Claim 11, and Canfield further discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add the second indicator is removed upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add the second indicator is removed upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the specific message has not

been received, the user could look for a new indicator to indicate that new messages have been received, possibly including the message of interest.

Claim 25. Takatsuka, Katagiri and Canfield disclose the method of Claim 19, and Canfield further discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add removing the second indicator upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add removing the second indicator upon selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the specific message has not

been received, the user could look for a new indicator to indicate that new messages have been received, possibly including the message of interest.

Claim 26. Takatsuka, Katagiri and Canfield disclose the method of Claim 20, and Canfield further discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29).

Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add maintaining the alteration of the first indicator until selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield. One would have been motivated to add maintaining the alteration of the first indicator until selectively redisplaying on the visual display the message listing while the new unopened electronic message is in an unopened state to the teachings of Takatsuka, Katagiri and Canfield because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the specific message has not been received, the user could look for a new indicator to

indicate that new messages have been received, possibly including the message of interest.

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takatsuka et al. (US 5,936,548) in view of Katagiri (US 6,778,069 B1).

Claim 27. Takatsuka discloses a method of managing unopened electronic messages comprising the steps of:

- a. displaying a home screen on a visual display (column 5, lines 14-20 [(19) directory. In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c, column 5, lines 57-60 [(24) Responsive to the first one of the command signals, the control section 20 controls the LCD driver 51 to display the selected message on the display unit 52 (a step 209)], Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the

messages which are stored in said directories and whose non-read flags are not erased.]);

- b. receiving a first electronic message and initially storing the first electronic message in an unopened state (column 5, lines 14-20 [(19) In the example shown in FIG. 5B, the display unit 52 displays the total message number and presence or absence of the non-read message per directory. In the example shown in FIG. 5C, the display unit 52 displays the total message number and the number of the non-read messages per directory.], figures 5b and 5c, Claim 4 [wherein, according to a command from said operating section, said control section controls said display unit to display, per directory, a remaining state of each of the messages which are stored in said directories and whose non-read flags are not erased.], column 6, lines 11-13 [(26) If answer at the step 210 is positive, that is, if the user selects to escape from the current directory, the routine returns to the step 202.], figure 4); wherein,

Takatsuka does not disclose initializing a recently checked Boolean value to false when a message listing is not displayed on the visual display; and triggering the recently checked Boolean value to true when the message listing is displayed on the visual

display and while the first electronic message is in the unopened state, wherein following display of the message listing on the visual display and while the first electronic message is in the unopened state, the recently checked Boolean value is set to false when a second electronic message in an unopened state is received, and the home screen is displayed on the visual display, as disclosed in the claims. However, in the same field of invention, Katagiri discloses "(13) Then, the screen display in FIG. 2D shows the state wherein the mark ".star. " displayed on the third line to indicate that the received message has not been read yet is cleared since the user has input the already-read instruction operation, ... " (column 6, lines 5—9, figure 2D) and "(14) In such case, while holding the screen display in FIG. 2D, the user does not particularly apply the already-read instruction operation so as to display the older unopened received message as the display operation. As already described, since the user has applied the already-read instruction operation to the operating unit 6, the adder unit 5 counts the piece number of the received messages when the received message is further received newly from this state, and then causes to display the piece number of the received messages received after the already-read instruction operation has been issued on the fourth line of the screen." "(15) The screen display in FIG. 2E shows the state wherein two new received messages are received after the

screen display in FIG. 2D, and the mark ".star." displayed on the third line to indicate that the received messages have not been read yet and the piece number "2" of the unopened received messages displayed on the fourth line are displayed on the screen, " (column 6, lines 19-38, figures 2C-2E). In figure 2C; Ten new messages have been received and a star is displayed to indicate 10 new unopened messages; the user reads the latest message but does not read the other 9 messages, therefore the other 9 are unopened; the star is then removed and the number indicating the number of unopened messages is decremented by 1; from this state, with 9 unopened messages and the star indicating the presence of unopened messages removed, when 2 new unopened messages are subsequently received, the count of unopened messages now indicates the 2 new unopened messages and the star is re-displayed to indicate the arrival of the 2 new unopened messages; that is, re-displaying the new count of new unopened messages and re-displaying the star to indicate new unopened messages when in the previous state there were still unopened messages approximates the claimed limitation of an indication of new unopened messages when all of the previous unopened messages were read in the last viewing. Therefore, considering the teachings of Takatsuka and Katagiri, it would have been obvious to one having ordinary skill in the art at the time of the invention to add initializing a recently checked Boolean value to false when a message listing is not displayed on the visual display; and triggering the recently checked Boolean value to true when the message listing is displayed on the visual display and while the first electronic message is in the

unopened state, wherein following display of the message listing on the visual display and while the first electronic message is in the unopened state, the recently checked Boolean value is set to false when a second electronic message in an unopened state is received, and the home screen is displayed on the visual display to the teachings of Takatsuka. One would have been motivated to add initializing a recently checked Boolean value to false when a message listing is not displayed on the visual display; and triggering the recently checked Boolean value to true when the message listing is displayed on the visual display and while the first electronic message is in the unopened state, wherein following display of the message listing on the visual display and while the first electronic message is in the unopened state, the recently checked Boolean value is set to false when a second electronic message in an unopened state is received, and the home screen is displayed on the visual display to the teachings of Takatsuka because a user may be looking for a specific message and can quickly identify if this message has been received by reading the portion displayed, after which, if the specific message has not been received, the user could look for a new indicator to indicate that new messages have been received, possibly including the message of interest.

6. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takatsuka et al. (US 5,936,548) in view of Katagiri (US 6,778,069 B1) and further in view of Canfield et al. (US 7,281,215 B1).

Claim 28. Takatsuka and Katagiri disclose the method of Claim 27, but do not disclose a visually distinguishable non-numerical annunciation is displayed on the home screen when the recently checked Boolean value is set to false, as disclosed in the claims. However, in the same field of invention, Canfield discloses "(9) An indicator is provided to the user to indicate whether the user has viewed a received IM message in an existing IM session. For example, an indicator such as a blinking interface tab or area on an interface tab may be provided for a received IM message that has not been viewed. ... and once viewed, the indicator changes without having to actually reply to the message itself. " (column 2, lines 19-29). Therefore, considering the teachings of Takatsuka, Katagiri and Canfield, it would have been obvious to one having ordinary skill in the art at the time of the invention to add a visually distinguishable non-numerical annunciation is displayed on the home screen when the recently checked Boolean value is set to false to the teachings of Takatsuka and Katagiri. One would have been motivated to add a visually distinguishable non-numerical annunciation is displayed on the home screen when the recently checked Boolean value is set to false to the teachings of Takatsuka and Katagiri because the Supreme Court in KSR International Co. v. Teleflex Inc. identified applying a known technique to a known device (method, or product) ready for improvement to yield predictable results as a rational to support a conclusion of obviousness which is consistent with the proper "functional approach" to the

determination of obviousness as laid down in Graham.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN HEFFINGTON whose telephone number is (571)270-1696. The examiner can normally be reached on 8:30 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boris M. Pesin can be reached on 571-272-4070. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JMH

12/26/11

/Boris Pesin/

Supervisory Patent Examiner, Art Unit 2172